



**IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE**

**Inventors:** Diane R. Hammerstad      **Examiner:** Arthur D. Duran  
**Application No:** 09/768990      **Group Art Unit:** 3622  
**Filing Date:** 01/23/2001      **Confirmation No:** 4199  
**Title:** Delivery Of Time Significant Advertising

**COMMISSIONER FOR PATENTS**  
**PO Box 1450**  
**Alexandria, VA 22313-1450**

**AMENDMENT UNDER 37 C.F.R. § 1.111**

Dear Sir:

In response to the Office Action mailed 05/20/05, please enter the following amendment:

**In the Claims:**

Please cancel claims 7, 8, and 14-16 and amend claims 1 and 9 as shown in the conventionally marked-up claims attached as Attachment 1. This listing of claims will replace all prior versions, and listings, of claims in this Application.

**REMARKS**

Examiner has rejected claims 1-8 under 35 U.S.C. 101, believing the claimed invention is directed to non-statutory subject matter. This rejection appears essentially to be a reinstatement of the §101 rejection found in the first office action. In Applicant's response there, Applicant added in claims 1, 6, and 9 a clear reference to a machine, a "server", to explicitly obtain a useful/concrete/tangible result. This was previously acceptable. Applicant does not now understand Examiner's reinstatement. The US